



HOW TO APPLY FOR A ZONE CHANGE

WHAT IS A ZONE CHANGE?

A zone change or rezoning is an action by the City Council which changes the permitted uses on a particular parcel of land. The Zoning Ordinance establishes a number of land use districts and the types of uses that are allowed in each classification (e.g., residential, commercial, industrial).

A rezoning request will be evaluated on conformance with the General Policies Plan and Map designation, applicable Neighborhood Plan, assessment of environmental impacts, and other factors.

WHAT DOES IT COST?

The initial application fee for a Zone Change request is a \$2,500 deposit to be used for cost of staff review time and materials (no maximum), billed on a monthly basis [See Planning Fee Schedule]. This charge covers staff review of the request, preparation of a staff report and presentation of the application to the Planning Commission and City Council.

For a zone change request to a Planned Development (PD) District, the above fee covers the Preliminary Plan stage; an additional \$150 fee plus time charges for staff review will be required for the Precise Plan stage.

WHO APPROVES A ZONE CHANGE APPLICATION?

The Planning Commission may recommend

approval, denial, or modification of an application, including a request for approval of a Preliminary PD Plan, or may hold over an application to a future meeting for further study and/or additional information. The City Council will consider the Planning Commission's recommendation and will make a final decision.

The Precise PD Plan, which follows the Preliminary Plan, is approved by the Planning Director.

WHAT ARE THE STEPS?

1. Make an appointment to see a Planner to determine whether you need to file a zone change application and if so, what issues, policies or standards will be considered in evaluating your request.
2. Submit filled out application, filing fee, and required materials to the Planning Division.
3. The Planning Division will review your proposal to ensure the information is adequate and will refer the proposal and plans (Planned Development District) to effected departments, agencies, private or business organizations, or homeowner associations for their comments.
4. The Planning Division will prepare a report analyzing your zone change request and a public hearing will be scheduled before the Planning Commission.
5. Upon a recommendation of approval by the

Planning Commission, or upon appeal of a recommendation of denial, the City Council will hold a public hearing and consider the recommendation.

WHAT MATERIALS DO I SUBMIT?

For Planned Development District zoning, which requires submittal of a site plan and additional information, see also requirements listed in Section 10-1.464 of the Zoning Ordinance.

HOW LONG DOES THE PROCESS TAKE?

The Planning Commission will hold a public hearing 8 to 10 weeks after an application is deemed complete. The City Council will hold a public hearing approximately 4 to 6 weeks after the Planning Commission makes its recommendation.

If an Environmental Impact Report (EIR) is required, the process will take considerably longer. (For details about EIR requirements or other environmental concerns, see the Environmental Impact Assessment Information Sheet, P-7.)

WHAT IS INVOLVED IN A PUBLIC HEARING?

Twenty days before the hearing, the applicant and all persons who own or reside at property within 300 feet of the boundaries of the project will be notified of the place, time and date of the hearing. The Planning Commission will consider the Planning Division staff report and evaluate testimony from the applicant and his or her representatives and the public. After the public hearing portion of the meeting is concluded, the Planning Commission may recommend approval of the zone change request, deny it, hold the matter over for additional information or redesign in the case of a Planned Development District request.

MAY A DECISION BE APPEALED?

An applicant or anyone else who is dissatisfied with the recommendation of the Planning Commission may appeal the Commission's recommendation to the City Council. To appeal, a written statement explaining one's objection(s) must be filed within 10 days after the Commission's decision. A public hearing will then be set to consider the appeal. Appeals are generally heard within 4 to 6 weeks, and the decision of the Council is final.

WHEN ARE HEARINGS HELD?

The Planning Commission holds public hearings on Thursdays at 7:30 p.m. in the City Council Chambers, City Hall, 777 B Street, Hayward. The City Council meets the first four Tuesdays of each month at 8:00 p.m.